

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

PAMELA FOY KREITZ

Claimant

APPEAL 20A-UI-10474-HP-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

BOB BORWN CHEVROLET

Employer

OC: 04/05/2020

Claimant: Appellant (6/R)

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Claimant Pamela Foy Kreitz filed an appeal from an August 14, 2020 (reference 01) unemployment insurance decision that denied benefits. The parties were properly notified of the hearing. A telephone hearing was scheduled for October 14, 2020. At the time of the hearing Foy Kreitz appeared. Bruce Gast appeared on behalf of the employer, Bob Brown Chevrolet.

ISSUE:

Whether the request to withdraw the appeal should be granted.

FINDINGS OF FACT:

At the time of the hearing, Foy Kreitz reported she was seeking unemployment benefits based on her employment with the United States Census Bureau only. The wage records for her work for the United States Census Bureau in Iowa are missing from the state of Iowa's mainframe computer system. According to Exhibit 1, Foy Kreitz earned \$16,654.28 in wages for the United States Census Bureau in 2020. Foy Kreitz reported she was subject to layoff from the United States Census Bureau because of Covid-19 in 2020. Foy Kreitz stated she did not wish to proceed with her appeal against Bob Brown Chevrolet and that she wished to withdraw her appeal. Foy Kreitz withdrew her claim against Bob Brown Chevrolet on the record. The matter is remanded to the tax bureau regarding the missing wages.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. 871 26.8(1). An oral request must be tape-recorded by the presiding officer. *Id.*

Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The appealing party's request to withdraw the appeal of the August 14, 2020 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect. The matter is remanded to the tax bureau for an investigation regarding the missing wages from the United States Census Bureau.



Heather L. Palmer
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

October 15, 2020

Decision Dated and Mailed

hlp/rr